

REMARKS

Claims 47-50 and 52-57 are pending in this application after amending the claims. Applicant has amended claims 48-50 and 52, while canceling claim 51. No inference should be made about the patentability of the cancelled claim other than it was cancelled in order to expedite the issuance of this application. Applicant believes that no new matter has been added by this response.

Response to 35 U.S.C. §102

The Examiner raised a 35 U.S.C. §102 rejection, but did not reject any claims or state any reasons for any claims being rejected. Therefore, the 35 U.S.C. §102 rejection is moot.

Response to 35 U.S.C. §103(a) Rejection

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The Examiner rejected claim 47 under 35 U.S.C. 103(a) as being unpatentable over Fellows et al. ("DOCSISTM cable modem technology", Communications Magazine, IEEE Publications Date: March 2001, herein after referred to as fellows) in view of Bushmitch et al, "Supporting MPGE video transport on DOCSIS-complaint cable networks", Communications,

IEEE Journal on Publication Date: September 2000, herein after referred to as Bushmitch and in view of Cheng et al. (US Patent 200/0218622, hereafter the '622 patent). The combination of the above references fails to establish a prima facie case of obviousness.

Must be some suggestion or motivation to combine

A prima facie case of obviousness requires that there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings of the Fellows with Bushmitch and the '622 patent. The Examiner found the combination of the Fellows with the Bushmitch references "did not explicitly teach determining the correct identifier or address of the unit by writing a service identifier (SID) of a selected IE into a hardware input register, comparing the hardware input register contents to a hardware look-up table; storing the resulting comparison value into a hardware result register" (Final-Office Action page 5, paragraph 2).

The Examiner found that the '622 patent was in a similar field of endeavor and used hardware input register for comparing the contents to a hardware look-up table. Applicant disagrees with the Examiners finding. The '622 patent is in the field of endeavor of displaying VGA graphical information on a larger size of LCD display. This is not an area of endeavor of communication systems that make use of MAP messages. There are no references to communication systems or MAP messaging in the cited reference. Further, Applicant in claim 47 is not simply claiming using a hardware register for comparing the contents to a look-up table. Rather, Applicant is claiming:

filtering the scheduling message to identify a plurality of IEs that are associated and that correspond to a selected subscriber unit by:

“filtering the scheduling message to identify IEs that are associated with the selected subscriber unit by:

 writing a service identifier (SID) of a selected IE into a hardware input register;

 comparing the hardware input register contents to a hardware look-up table;

 storing the resulting comparison value into a hardware result register; and

 determining whether the hardware result register whether the selected IE represents a unicast address that corresponds to the selected subscriber unit...”

Therefore, there is no suggestion, or motivation for combining the references other than the assertions made by the Examiner. Thus, a prima facie case of obvious has not been established and claim 47 is in condition for allowance.

Applicant has amended Claim 48 with the allowable subject matter from claim 51 and is in a condition for allowance along with all claims that depend from allowable claim 48. Therefore, the 35 U.S.C §103(a) rejection is now moot in view of Applicant’s claim amendment.

Allowable Subject Matter

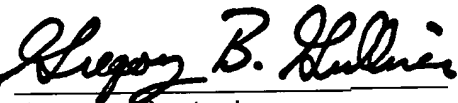
Claims 51-57 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 48 to contain the allowable subject matter from claim 51 and the intervening claims.

Conclusion

In view of the foregoing discussion and amendments, Applicant respectfully submits that claims 47-50, 52-57 as presented are in condition for allowance, for which action is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to our Deposit Account No. 50-2542. A copy of this sheet is enclosed.

Respectfully submitted,

By 

Attorney for Assignee

Gregory B. Gulliver, Reg. 44,138

Phone: (847) 282-3551

Fax: (312) 264-2387

The Eclipse Group LLP

100 Tri-state International, Suite 128

Lincolnshire, IL 60069

Customer No.: 34408